4/ Custom warrants General letters of horning for the
Kings Rents and Revenues. And for the more Effectual
payment and inbringing thereof by Chamberlains, forean
Sheriffs, Stewarts Bailies of Regalities and Burghs
and others liable therein, several Regulations are Estab
lished, particularly, that upon a Charge at the Market
Cross of Edinburgh for not finding Caution for their Year
ly Compearing and Counting in Exchequer, Registred
in the treasury Register or General Register of horning
Caption and Escheat may follow as if they had been Cha
ged personally or at their Dwelling houses, and Denoun
ced at the head burgh of the shire where they lie; that
Sheriffs Stewarts and Bailies of Regalities failing who
Charged to Apprehend the Kings forrears within their
bounds Denounced for not payment of their Duties, or Omit
ting to pound their Goods and do Exact Diligence for getting
payment within 20 days after they are Charged for that
Effect, may be Charged to Make payment thereof them
selves Act 15 Sess. 3 Parl. 1 Chr. 2. That Sheriffs Stewarts
Bailies or their Deputies or Chamberlains of the Kings
property, if they do not Count and Make their Equies in
Exchequer in July Yearly, and be Charged and Denounced
at the Market Cross of Edinburgh for such failure
and the horning and Denunciation duly Registred, shall
ipso facto lose during their life their offices whether
hereditable or During life or pleasure; that Alvassals
of his Majesties property Charged Denounced and Regis
tred as above for Neglecting to pay in July Yearly to
the Exchequer their fee blench and ward duties
and to Receive their Equies, so as two Years thereof
run together Unpaid, shall be liable for the Double
of the Duties then due and payable, as if the same were
Contained in the Reddendos of their Infeftments;
that Clerks to the said Sheriffs Stewarts and Bail
lies in lifts from time to time to the treasury or
Clerks of Exchequer of all Wards and Marriages
falling due within their bounds within six Months
after the Casualty taketh place by Vassals dying

in Scotland, under the pain of losing their offices Ipso Jure, and
that when pounding is used for the Kings proper Rents, it is
sufficient to Appraize the goods pounded upon the ground
of the Lands, without Necessity to carry them for that end to
the Market Cross of the head burgh of the Jurisdiction
Act 9 Sess. 1 Parl. J. 7. The Exchequer is never in use to take
Rents off the hands of the Kings Chamberlains, Sheriffs
Stewarts or Bailies who are bound to fit their Equies year
ly in Exchequer: But give them letters of Relief against
the Debtors. Thus a Chamberlain of the Crown Rents was
not Exonered from Answering and being liable for Rents
due by the Vassals and tenants; albeit he had Instructed
Diligence Done for the same 27 July 1708 Duke Douglass
contra Creditors of Spot. 50/ By the law of England, the
King in a Composition of Creditors is preferred, the his
debt be left; and his Majesty may protect the Debtor
from the Arrest of other Creditors untill his own Debt
be satisfyed Coke 1. Instit. 130. In case of Executors Ships
and Administrators Ships, after the Charge of the funeral,
expenses of Opposition by a Caveat, and of the probate
i.e. Confirmation of the testament, the King is preferred
for his debts before any debt due to a private person,
Wentworth office of Executor cap. 12 pag. 179. 1 Roll. Abr. 927
Bacon Elem. 81. 30 Par. 2 cap. 3 § 4. 9 H. cap. 10 § 30. No Dis
trest can be Made upon the Kings possession Coke 2 Instit.
131. 132. When any of the Kings Goods came into the hands
of Subjects, so as they are Accountant for them, their
land is Chargeable for the same, and subject to the Kings
seisure to whom so ever it comes, whether by Descent
or purchase Coke 8 Rep. 171. If one forfeit of land in fee
becomes Debtor to the King, and then Aliens the land,
the land is subject to Execution, tho the Alienation was
before the Action Commenced. Lands of Gentrets In
tail are liable for the Kings Debts, or scalable for the
Arrears of his officers 33 H. 8 cap. 39 § 2 6. 13 Eliz. cap. 4